

### **REMARKS**

This application has been carefully reviewed in light of the Office Action dated August 25, 2006. Claims 1-18 are pending. Claims 4, 6-8, 13-14 and 16-17 have been amended. Claims 1, 2, 10 and 18 are independent.

In the Office Action claims 6-9 were objected to as being in improper form. Applicants have amended those claims to address the Examiner's objection and applicants respectfully request that the Examiner withdraw this objection.

In the Office Action, claims 1-4, 10-13, 17 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by International Publication No. WO 00/76233 to Hunte (hereinafter referred to as "Hunte").

Claim 1 is not anticipated by Hunte because claim 1 recites making channel measurements for a length of time, said measurements being used to generate a report (see claim 1). On the contrary, Hunte discloses varying the interval (IL) between channel measurements (see abstract and Fig. 2b). Instructing a secondary station to take measurements for a given length of time, as recited in claim 1, is not the same as adjusting the length of time between taking measurements, as disclosed in Hunte. Nowhere does Hunte teach or suggest a length of time within which measurements are made, instead Hunte teaches setting a length of time (IL) between measurements. Since Hunte does not teach each element of claim 1, claim 1 is not anticipated by Hunte. Applicants therefore respectfully request that the Examiner withdraw this rejection.

Independent claim 2, 10 and 18 comprises similar limitations as claim 1 and are therefore not anticipated by Hunte for at least the reason discussed above with respect to claim 1.

Applicants therefore respectfully request that the Examiner withdraw this rejection.

Claims 3-4, 11-13 and 17 depend or indirectly from one of the aforementioned independent claims and are therefore not anticipated by Hunte for at least the reason discussed above with respect to claim 1. Applicants therefore respectfully request that the Examiner withdraw this rejection.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hunte in view of U.S. Patent No. 6,208,861 to Suzuki. Claim 5 depends from claim 2 and is therefore not unpatentable over Hunte in view of Suzuki for at least the reason discussed above with respect to claim 1. Applicants therefore respectfully request that the Examiner withdraw this rejection.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hunte in view of U.S. Patent No. 6,862,271 to Medvedev et al. Claim 14 depends from claim 10 and is therefore not unpatentable over Hunte in view of Medvedev for at least the reason discussed above with respect to claim 1. Applicants therefore respectfully request that the Examiner withdraw this rejection.

In view of the foregoing, it is respectfully submitted that the currently-pending claims are in condition for allowance and favorable consideration is earnestly solicited. The Commissioner of Patents is hereby authorized to charge any additional fees or surcharges that

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may be required, or credit any overpayment to Account No. 14-1270.

Respectfully submitted,

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